

D/F

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ MAR 18 2014 ★

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SARINA AMIEL,

Petitioner,

-against-

ORDER

97-CV-5276 (SJF)

UNITED STATES OF AMERICA,

Respondent.

-----X
FEUERSTEIN, J.

Pursuant to an order of remand issued by the Second Circuit Court of Appeals, a hearing was conducted on January 21, 2014 and continued on March 10, 2014, to determine whether the petitioner-appellant Sarina Amiel ("petitioner") received ineffective assistance of counsel at trial. On March 10, 2014, at the conclusion of the hearing, this Court dismissed the petition upon finding that petitioner failed to prove she was denied ineffective assistance of counsel.

As petitioner has failed to make a substantial showing of a violation of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 336, 123 S.Ct. 1029, 154 L.Ed.2d 931 (2003); *Contino v. United States*, 535 F.3d 124, 127 (2d Cir. 2008). Petitioner has a right to seek a certificate of appealability from the United States Court of Appeals for the Second Circuit. *See* 28 U.S.C. § 2253.

SO ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein
United States District Judge

Dated: March 18, 2014
Central Islip, New York